



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,904	12/14/2001	Pete A. Hawkins	2207/13516	4204
7590 04/17/2007 KENNETH J. COOL BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP 12400 WILSHIRE BOULEVARD SEVENTH FLOOR LOS ANGELES, CA 90025			EXAMINER PATEL, NIMESH G	
			ART UNIT 2111	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/17/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/014,904

Applicant(s)

HAWKINS ET AL.

Examiner

Nimesh G. Patel

Art Unit

2111

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,5,7-10 and 12-26 is/are pending in the application.
- 4a) Of the above claim(s) 12-15 and 23-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,5,7-10 and 16-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 16, 2007 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Stepp, III(6,487,463).

4. Regarding claim 1, Stepp discloses a first set of field replaceable units each being of a first type(Figure 3, 314); a second set of field replaceable units each being of a second type(Figure 3, 316); a first management bus(Figure 3, Bus between 314 and 320), directly coupled to each of the first set of field replaceable units, wherein the first management bus is coupled only to field replicable units of the first type; a second management bus(Figure 3, Bus(Fan M and Fan C Wires) between 316 and 320), directly coupled to each of the second set of field replaceable units, wherein the second management bus is coupled only to field

Art Unit: 2111

replicable units of the second type; and a central management agent(Figure 3, 320) coupled to the first management bus and the second management bus, to monitor each of the first and second sets of field replaceable units via the first and second management buses, and to and transmit signals to control each of the first and second sets of field replaceable units(Column 6, Lines 14-19); and a communication link, coupled to the central management agent, to transmit signals received from the central management agent indicating a failure of one or more of the first set of field replaceable units and the second set of field replaceable units to a remote location(Column 6, Lines 61-62).

5. Regarding claim 7, Stepp discloses a system, wherein the central management agent is a processor(Column 6, Lines 20-21).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stepp.

8. Regarding claim 4, Stepp does not specifically disclose a system, wherein the first and second management buses are Inter-IC buses. However, Official Notice is being taken that the Inter-IC bus is a well-known bus in the art. It would have been obvious to one of ordinary skill in the art to use Inter-IC busses as the first and second management busses for the advantage that only two lines (clock and data) are required for full duplexed communication between multiple devices. The common knowledge or well known in the art statement is taken to be

Art Unit: 2111

admitted prior art because applicant failed to traverse the examiner's assertion of official notice(see MPEP 2144.03(C)).

9. Regarding claim 5, Stepp does not specifically disclose a system, wherein the system further comprises a second central management agent coupled to the first management bus. However, Official Notice is being taken that using a second central management is well known in the art. It would have been obvious to one of ordinary skill in the art to use a second central management agent for the advantage of having a redundant central management agent to take over in case the first management agent fails. The common knowledge or well known in the art statement is taken to be admitted prior art because applicant failed to traverse the examiner's assertion of official notice(see MPEP 2144.03(C)).

10. Claims 8-10 and 16-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stepp, in view of Holland(5,367,669)

11. Regarding claim 8, Stepp discloses a system, wherein the first set of field replaceable units are temperature sensors(Figure 3, 314) but does not specifically disclose the second set of field replaceable units are temperature sensors. However, Holland discloses a set of field replaceable units that are power supplies(Figure 3, 120). It would have been obvious to use combine the power supply 302 of Stepp with a set of field replaceable units that are power supplies, as disclosed by Holland, for the advantage of having redundant power supplies on one bus to take over in case the first power supply fails or to increase the amount of voltage provided to the system.

12. Regarding claim 9, Stepp does not specifically disclose a system, further comprising: a third management bus, coupled to the central management agent, to couple only to field replaceable units of a third type, and a third set of field replaceable units each being of the third type. However, Holland discloses a third management bus coupled to a third type of field

Art Unit: 2111

replaceable units(Figure 3, 120). It would have been obvious to use a third management bus coupled to a third type of field replaceable units for the advantage of having redundant power supplies on one bus to take over in case the first power supply fails or to increase the amount of voltage provided to the system.

13. Regarding claim 10, Stepp and Holland disclose a system, wherein the third set of field replaceable units having the third type are fan trays(Figure 3, 316 and 130, respectively).

14. Regarding claim 16, Stepp discloses a system comprising: two or more temperature sensors(Figure 3, 314); a first management bus(Figure 3, Bus between 314 and 320), directly coupled to each of the two or more temperature sensors, wherein the first management bus is coupled only to temperature sensors; two or more fan trays(Figure 3, 316); a second management bus(Figure 3, Bus(Fan M and Fan C Wires) between 316 and 320) directly coupled to each of the two or more fan trays, wherein the second management bus is coupled only to fan trays; and a central management agent(Figure 3, 320), coupled to the first management bus and the second management bus, to monitor the temperature sensors and the fan trays via the first and second management buses, and to transmit signals to control activation of one or more fan trays based upon signals received from the one of the temperature sensors via the first and second management buses(Column 6, Lines 14-19), and having failure detection logic to detect a failure of the fan trays(Column 6, Lines 58-62); and a network interface card coupled to the central management agent(Column 5, Lines 28-44).

Stepp does not specifically disclose having failure detection logic to detect a failure in temperature sensors and a network interface card to transmit signals received from the central management agent indicating a failure of one or more of the temperature sensors and the fan trays to a remote location. However, Stepp discloses detecting failure of a component(Column 6, Lines 58-62). It would have been obvious to one of ordinary skill in the art to detect the failure

Art Unit: 2111

of sensors since sensors are an essential component of monitoring and regulating temperature in the system. Failure of sensors would lead to miscalculation of the temperature in the system and therefore the fans would not properly regulate the temperature in the system.

Further, Stepp discloses alerting a user upon failure of a device(Column 6, Lines 58-62) and Holland discloses sending external alarm signals(Figure 3, 10). It would be obvious to one of ordinary skill in the art of alerting a user through a network interface card since this would alert a user of a failure even if the user were not in front of the system.

15. Regarding claim 17, Stepp discloses a system, wherein the system further comprises a central processing unit coupled to the central management agent(Figure 3, 304).

16. Regarding claim 18, Stepp discloses a system, wherein the central management agent is an abstracting agent(Column 6, Lines 14-19).

17. Regarding claim 19, Stepp discloses a system further comprising, one or more power supplies(Figure 3, 302). Stepp does not specifically disclose a third management bus coupled to the one or more power supplies and the central management agent, wherein the third management bus is coupled only to power supplies. However, Holland discloses a third management bus coupled to a third type of field replaceable units(Figure 3, 120), wherein the third management bus is coupled only to power supplies. It would have been obvious to use a third management bus coupled to a third type of field replaceable units for the advantage of having redundant power supplies on one bus to take over in case the first power supply fails or to increase the amount of voltage provided to the system.

18. Regarding claim 20, Stepp and Holland disclose a system, further comprising an external communication link coupled to the central management agent(Column 6, Lines 61-62, and Figure 3, 10, respectively).

Art Unit: 2111

19. Regarding claim 21, Stepp does not specifically disclose a system, wherein the system further comprises a second central management agent coupled to the first management bus, to the second management bus and to the central management agent. However, Official Notice is being taken that using a second central management is well known in the art. It would have been obvious to one of ordinary skill in the art to use a second central management agent for the advantage of having a redundant central management agent to take over in case the first management agent fails. The common knowledge or well known in the art statement is taken to be admitted prior art because applicant failed to traverse the examiner's assertion of official notice(see MPEP 2144.03(C)).

20. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stepp and Holland, and in further view of Jewett et al.('251).

21. Regarding claim 22, Stepp does not specifically disclose a system further comprising a redundant first management bus coupled to the central management agent and coupled to each of the one or more temperature sensors, wherein the first management bus is not coupled to any of the other components. However, Jewett discloses a redundant first management bus coupled to the central management agent(Figure 13; 167-1, 167-2). Therefore it would have been obvious to use a redundant first management bus coupled to the central management agent in the system of Stepp, to achieve redundancy so as to prevent complete system failure in the event of the first management bus failing.

Response to Arguments

22. Applicant's arguments filed March 16, 2007 have been fully considered but they are not persuasive.

Art Unit: 2111

23. In regards to Applicant's argument that there is no disclosure or suggestion in Stepp of a central management agent transmitting signals to control both the temperature sensors and the fans. However, Examiner respectfully disagrees. Stepp discloses both the temperature sensors and fans coupled to a controller(Figure 1) and therefore the controller transmits control signals. Applicant's specification only discloses one statement referring to controlling of the temperature sensors and fans; "For example, central management agent 105 may monitor and/or control the power supplies 111-115, the fan trays 121-122, and the temperature sensors 131-133"(Page 4, Lines 1-3). This statement does not specifically state control signals are transmitted to the temperature sensors and the language is unclear as to which of the components(sensors, fans, power supplies) are only monitored, only controlled, or both monitored and controlled. In fact, the rest of the specification implies that the temperature sensors are only used to monitor the temperature and the control signals are transmitted to the fans, but not to the temperature sensors(Page 4, Lines 15-20). Thus, applicant's arguments are not persuasive.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nimesh G. Patel whose telephone number is 571-272-3640. The examiner can normally be reached on M-F, 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinehart H. Mark can be reached on 571-272-3632. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2111

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Nimesh G Patel
Examiner
Art Unit 2111

NP
April 14, 2007



Glenn A. Auve
Primary Patent Examiner
Technology Center 2100